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Ocean Marine Insurance Company Limited



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

THE FLINTKOTE COMPANY AND  
THE FLINTKOTE TRUST,

Plaintiff,

v.

AVIVA PLC, AVIVA INTERNATIONAL  
INSURANCE LIMITED, AND OCEAN  
MARINE INSURANCE CO. LTD.,

Defendants.

Case No. 3:15-CV-01638-SI

**STIPULATION OF CONFIDENTIALITY  
UNDER LOCAL RULE 7-12**

Defendants Aviva plc, Aviva International Insurance Limited (formerly known as Commercial Union Assurance Company Limited) and The Ocean Marine Insurance Co. Limited, (collectively, "Ocean Marine"), by and through their counsel of record, hereby file the following stipulation pursuant to Local Rules 7-11(a) and 7-12 attesting to Ocean Marine's agreement with plaintiffs, The Flintkote Company and the Flintkote Trust (collectively, "Flintkote"), as to the confidential nature of documents attached as exhibits to and referenced in Ocean Marine's Motion for Partial Summary Judgment.

### STIPULATION

Flintkote and Ocean Marine, through their undersigned counsel, stipulate as follows:

Flintkote and Certain London Companies are presently engaged in a related arbitration proceeding, *The Flintkote Company v. Certain London Companies*, Arbitration No. W-14-01, JAMS No. 141000640.

Appendix C, §100.7 of the Wellington Agreement provides that alternative dispute resolution proceedings undertaken pursuant to the Wellington Agreement are to be confidential and the current proceedings are protected by a protective order.

The parties agree the following documents from the above-referenced arbitration should remain confidential and should be placed under seal in this litigation:

- Flintkote's Responses and Objections to Certain London Companies First Set of Interrogatories, *The Flintkote Company v. Certain London Companies*, Arbitration No. W-14-01, JAMS No. 141000640, June 22, 2015;
- Deposition Transcript of Eric Bower, *The Flintkote Company v. Certain London Companies*, Arbitration No. W-14-01, JAMS No. 141000640, August 13, 2015;
- "Phase I Rulings," filed in *The Flintkote Company v. Certain London Companies*, Arbitration No. W-14-01, JAMS No. 141000640, January 9, 2016; and
- "Order on Motion for Reconsideration," filed in *The Flintkote Company v. Certain London Companies*, Arbitration No. W-14-01, JAMS No. 141000640, February 2, 2016.

Any references to these documents should be redacted in Court filings. Ocean Marine intends to attach and reference these documents as exhibits to its Motion for Partial Summary Judgment.

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Respectfully submitted,  
IRELL & MANELLA LLP

Dated: February 5, 2016

By: /s/ Michael Fehner  
Michael Fehner  
Attorneys for Plaintiff  
The Flintkote Company/The Flintkote Trust

Dated: February 5, 2016

CLYDE & CO US LLP

By: /s/ Andrew G. Wanger  
Andrew G. Wanger  
Attorneys for Defendants Aviva plc/  
Aviva International Insurance Limited/  
Ocean Marine Insurance Company Limited

**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the filing of this document has been obtained from the other signatories.

Dated: February 5, 2016

/s/ Andrew G. Wanger  
Attorney for Defendants